

FILED

OA 91 Criminal Complaint

United States District Court

AUG 12 2008

NORTHERN

DISTRICT OF

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAUNITED STATES OF AMERICA
V.**CRIMINAL COMPLAINT**

ADRIAN LANDERS

Case Number: **3 08 70528**

SAN FRANCISCO VENUE

(Name and Address of Defendant)

JCS

I, the undersigned complainant being duly sworn state that the following is true and correct to the best of my knowledge and belief. On or about June 18, 2008 in San Francisco County, in the Northern District of California defendant(s) did,

(Track Statutory Language of Offense)

(i) Knowingly possess a firearm; (ii) the firearm had been shipped or transported from a foreign nation to the United States; and (iii) at the time defendant possessed the firearm, the defendant had been convicted of a crime punishable by imprisonment for a term exceeding one year,

AS SET FORTH IN "ATTACHMENT TO CRIMINAL COMPLAINT" WHICH IS MADE PART OF THIS COMPLAINT; all

in violation of Title 18 United States Code, Section(s) 922(g)

MAXIMUM PENALTIES: 10 years imprisonment; \$250,000 fine; 3 years supervised release; mandatory \$100 special assessment; and restitution

I further state that I am a(n) Inspector, San Francisco Police Department and that this complaint is based on the following facts:

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ NoApproved
As To

Form:

AUSA

Nat Cousins +7368

Inspector Lance Bosshard

Name/Signature of Complainant

[Signature]

Sworn to before me and subscribed in my presence,

8/12/08
Dateat San Francisco, CA

City and State

U.S. Magistrate Judge Joseph Spero

Name & Title of Judicial Officer

Signature of Judicial Officer

[Signature]

ATTACHMENT TO CRIMINAL COMPLAINT

I, Lance Bosshard, being duly sworn, hereby state:

1. This affidavit is submitted in support of a criminal complaint against **ADRIAN LANDERS** on the grounds that he violated 18 U.S.C. § 922(g) by knowingly possessing a firearm that had been shipped or transported from a foreign nation to the United States, and at the time defendant possessed the firearm, the defendant had been convicted of a crime punishable by imprisonment for a term exceeding one year.

I. Affiant's Background

2. I am employed by the San Francisco Police Department (SFPD) as an Inspector and have been employed by the SFPD for 17 years. I am currently assigned to work with the Bureau of Alcohol, Tobacco, and Firearms (ATF) as a Task Force Officer. I have participated in hundreds of investigations involving the illegal possession of firearms and ammunition, as well as other investigations of other types of crimes.

3. As part of my official duties, I have obtained the following information either through my own investigation, or from other law enforcement agents of the SFPD or ATF.

II. Probable Cause Against Adrian Landers

A. Investigation of Steve Lane

4. On June 11, 2008, San Francisco Police Department Inspector Scott Lau (#1476), Inspector Edward Yu (#2248) and Officer Moses Gala (#899) were working in plainclothes. They were in the area of Treat Way and 26th Street, in San Francisco. The officer and inspectors saw Steve Lane.

5. Inspector Lau had prior knowledge of an arrest, of Lane, in March of 2007. Lane was convicted of possession of a loaded and concealed firearm. That incident is documented in SFPD case # 080285852. The arrest resulted in an "Order of Home Detention - #08-6216", which also requires Lane to submit to a search condition (warrantless search as a condition of probation). Inspector Lau knew that Lane had a warrantless search condition as a condition of his probation.

6. Inspector Lau and Inspector Yu had another contact with Lane approximately three weeks prior to June 11. On that occasion, the inspectors attempted to speak with Lane, but Lane ran from the inspectors.

7. One June 11, 2008, the officer and inspectors had reason to believe that Lane might be in possession contraband because of his earlier arrest, conviction, and his previous flight from the inspectors -- three weeks prior.

8. On June 11, 2008, Lane was stopped and detained after a foot chase. A pistol was recovered from the waistband area of Lane. Lane was placed under arrest for possession of a loaded and concealed firearm.

B. Search of 1400 Treat Way

9. The arrest of Lane led Inspector Lau to write a search warrant for the residence of Steve Lane (established as 1400 Treat Way in San Francisco). The search warrant was approved on June 17, 2008, by the San Francisco Superior Court. Insp. Lau was searching Lane's residence for the following items: handguns, ammunition, gun cleaning items, photos of firearms, paperwork regarding the purchase or possession of firearms, and/or establishing dominion and control over firearm(s).

10. On June 18, 2008, the warrant for 1400 Treat Way was served by the Tactical unit of the SFPD. Upon gaining entry, twelve people were detained by the police. Four adults and eight juveniles were detained in the residence. Included in the detained was the defendant **Adrian Landers**.

11. Sgt. McDonnell and Insp. Lau searched the upstairs bedroom that is adjacent to the laundry room. Inside of the room was a bunk bed. On top of the bunk bed, Sgt. McDonnell saw a pair of men's blue jeans with a brown belt. Sgt. Yu searched the pants and located a wallet, cell phone, and indicia in the name of Landers (CA ID card and numerous other items with Landers' name). The pants were draped over a backpack.

12. Sgt. McDonnell searched the backpack and recovered the following items from inside of it: an Uzi semi-automatic rifle, one high capacity (16 round) magazine loaded in the Uzi; two loaded extended magazines, one 30 round clip, one pistol magazine, two parking tickets, one hand rolled cigarette, one bottle of capsules, one glass pipe, and one t-shirt.

13. Sgt. McDonnell also recovered a Halloween mask from under the backpack, a digital camera from on top of the bunk bed, and a pistol from the closet.

14. Insp. Lau also recovered indicia for "Steve Lane" from inside of the bedroom where the Uzi and gun were found. The indicia included a "Juvenile Wardship Petition", which names Adrian Landers as the step-father of Steve Lane. The document indicates 1400 Treat Way as the address of Adrian Landers.

15. The Inspectors interviewed the adults in the house. Leo Gi, Laura Gi, and Lorraine Gi told Insp. Lau they didn't have knowledge of the Uzi. They all admitted that Landers spent the night in the house.

16. Leo and Lorraine both admitted that Landers slept in the room with the Uzi (upstairs bedroom adjacent to the laundry room). Laura said Lorraine wouldn't sleep in the same room as Landers.

17. Landers was placed under arrest by Insp. Yu. Landers was in his underwear so he asked for his blue jeans. Landers described the jeans to Insp. Yu. The description was an exact match to the jeans that were draped over the backpack (where the Uzi was found). Insp. Yu showed Landers the pants which were draped over the backpack and Landers identified it as his.

18. Off. O'Connor (#336), of CSI, took control of the evidence (Uzi, the magazine in the Uzi, other magazines, a bottle containing suspected narcotics,, a glass pipe, and another pistol (recovered in a closet).

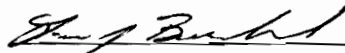
19. Off. O'Connor processed the magazine which was inside of the receiver of the Uzi - the magazine had a fingerprint on it. The lifted print matched Landers' fingerprint. I spoke with Off. O'Connor and she told me she had independent recollection of lifting and matching the print.

20. It was determined that Landers was convicted in April 2008 of a State felony punishable by imprisonment for more than a year.

21. I consulted with department of Justice of Alcohol Tobacco Firearms and Explosives Special Agent Thomas Cleary who is a firearm Interstate Nexus Expert. Special Agent Cleary determined that the Uzi, recovered in the backpack at 1400 Treat Way, was not manufactured in the state of California.

III. Conclusion

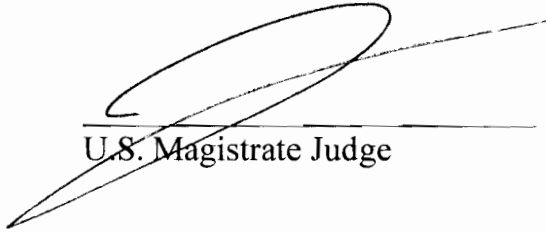
22. For the foregoing reasons, there is probable cause to believe that Adrian Landers possessed a firearm after having previously been convicted of a felony, in and affecting interstate and foreign commerce, in violation of 18 U.S.C. § 922(g).



Inspector Lance Bosshard #1585

Subscribed and sworn to before me

On 8/12/08


U.S. Magistrate Judge